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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,780	10/23/2003	Harold Jay Licht	2003P11954US01	7169

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Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830

EXAMINER

TRUONG, BAO Q

ART UNIT	PAPER NUMBER
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2875

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/691,780

Applicant(s)

LICHT, HAROLD JAY

Examiner

Bao Q. Truong

Art Unit

2875



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/23/2003.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “a Peltier cooler” of claim 24, the “a cooling fan” of claim 25, the “a power supply” of claim 29, the “a resistance” of claim 30, and the “a traffic light housing” of claim 32 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The abstract of the disclosure is objected to because “comprises” in lines 1-2 should be changed to –include/have–. Correction is required. See MPEP § 608.01(b).

Claim Objections

3. Claims below are objected to because of the following informalities:
- Claims 1 and others, “LED” should be changed to –Light Emitting Diode--.
- Claim 9, the limitation, “the LED” is repeated.
- Claim 15, “the bracket” should be changed to –the first bracket-- for consistency.
- Claim 24, the trademark name “Peltier cooler” should be changed to general term.
- Claim 35, the preamble is not match.
- Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-24 and 26-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Hochstein et al. [US 6,582,100].

Regarding claims 1 and 31-33, Hochstein et al. discloses a system for mounting an LED having a mounting device [12] and a first bracket [36, 50] and a first electrical conductive lead [22] (figures 4 and 4, abstract, column 1 lines 5-20).

Regarding claims 2 and 3, Hochstein et al. discloses the first bracket [36] fixedly attachable to the mounting device [12] (figures 4-5).

Regarding claims 4-8, Hochstein et al. discloses the first electrical conductive lead [22] (figure 4).

Regarding claim 9, Hochstein et al. discloses the LED [39] (abstract).

Regarding claim 10, Hochstein et al. discloses a second bracket [48] (figures 6-7).

Regarding claims 11-16, Hochstein et al. discloses the first bracket [36, 50] attached to the first electrical conductive lead [22] and the mounting device [12] (abstract, figures 3-4, column 5 lines 25-40).

Regarding claims 17-19, Hochstein et al. discloses a slug [20] (figure 6).

Regarding claim 20, Hochstein et al. discloses a slug [20] and a space filled with thermal adhesive [52] (figure 5).

Regarding claim 21-24, Hochstein et al. discloses a heat exchanged [10] (figure 4-5).

Regarding claims 26-27, Hochstein et al. discloses a heat dissipater [10] (abstract, figure 4).

Regarding claim 28, Hochstein et al. discloses an electrical conductor [22] connectable to the first bracket [36, 50] (figure 4).

Regarding claims 29 and 30, Hochstein et al. discloses an electrical circuit traces [14] for power supply and current resistance to LED (abstract, column 1 lines 5-20).

Regarding claims 34-38, Hochstein et al. discloses a method for replacing an LED [39] in a lighting system having a bracket [36, 50] and a conductive lead [22] (column 2 lines 35-53).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hochstein et al. [US 6,582,100] in view of Begemann [US 6,220,722].

Regarding claim 25, Hochstein et al. discloses a heat dissipater [10], but does not clearly disclose the cooling fan (abstract).

Begemann teaches the use of the cooling fan [9] to dissipate heat from LEDs [4] (figure 1).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the heat dissipater of Hochstein et al. by the cooling fan as taught by Begemann to remove heat for purpose of providing an advantageous way of cooling down a lighting system.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hochstein [US 6,428,189] and [US 6,517,218] disclose an LED system with heat sink.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bao Q. Truong whose telephone number is (571) 272-2383. The examiner can normally be reached on Monday-Friday (8:00 AM - 4:00 PM).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

Art Unit: 2875

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bao Q. Truong
Examiner
Art Unit 2875



JOHN ANTHONY WARD
PRIMARY EXAMINER